

**NOT FOR PUBLICATION**

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

_____	:	
JOEL J. BACON,	:	Civil Action No. 13-2216 (JBS)
	:	
Plaintiff,	:	
	:	
v.	:	<b><u>OPINION</u></b>
	:	
ATLANTIC COUNTY POLICE	:	
DEPARTMENT,	:	
	:	
Defendant.	:	
_____	:	

**SIMANDLE**, District Judge:

Plaintiff Joel J. Bacon, a civilly committed individual, has submitted for filing a civil complaint and an application to proceed in this matter in forma pauperis. [Docket Items Nos. 1 and 1-1.] His complaint alleges that, shortly prior his placement in state custody, the Atlantic City Police Department subjected him to excessive force and attempted to murder him. [Docket Item No. 1, at 1.] Plaintiff seeks five billion dollars in damages. See id.

The complaint is substantively identical to that filed in Bacon v. Atlantic City Police, Civil Action No. 12-2883 (JAP) (N.J.D. May 8, 2012), where Plaintiff asserted police brutality, use of excessive force and attempted murder, and requested eighteen billion dollars in damages. See id., Docket Item No. 1.

Being substantively indistinguishable from Civil Action No. 12-2883, the instant matter presents a duplicative litigation.

The power of a federal court to prevent duplicative litigation is intended "to foster judicial economy and the 'comprehensive disposition of litigation,'" Curtis v. Citibank, N.A., 226 F.3d 133, 138 (2d Cir. 2000) (quoting Kerotest Manufacturing Co. v. C-O-Two Fire Equipment Co., 342 U.S. 180, 183 (1952)), and "to protect parties from 'the vexation of concurrent litigation over the same subject matter.'" Id. (quoting Adam v. Jacobs, 950 F.2d 89, 93 (2d Cir. 1991)).

Porter v. NationsCredit Consumer Disc. Co., 2003 Bankr. LEXIS 933, at \*33 (Bankr. E.D. Pa. 2003).

Therefore, the Clerk will be directed to terminate the instant matter as duplicative of Civil Action No. 12-2883.

An appropriate Order follows.

s/ Jerome B. Simandle  
JEROME B. SIMANDLE  
Chief Judge  
United States District Court

Dated: **April 11, 2013**